This listing of claims will replace all prior versions and listings of claims in the application.

LISTING OF CLAIMS

1. (currently amended) A flexible pouch for holding a beverage for removal via a drinking straw, the pouch comprising:

a compartment formed by a first flexible panel sealed to a second flexible panel; and

a column disposed between the first panel and the second panel, running from the exterior of the pouch to the compartment, and including

a first seam and a second seam, wherein each seam is formed by the first and second panels being placed in contact with each other at the location of the seam and sealed together, [[~~and~~]] wherein a portion of the first seam is substantially parallel to a portion of the second seam, and wherein the first and second seams each have an interior end portion, said interior end portions gradually diverging from each other,

an opening formed by the exterior end of the first and second seams, and

a sealed point located between the first and second seams inwardly along the column from the opening.

2. (previously presented) The pouch of claim 1 wherein the sealed point is a first piercing point.

3. (original) The pouch of claim 2 further comprising a straw for piercing the piercing point.

4. (original) The pouch of claim 3 wherein the straw is pointed.

5. (previously presented) The pouch of claim 2 wherein a portion of the column is tapered so as to be wider at the exterior end.

Claim 6 (canceled).

7. (currently amended) The pouch of claim [[6]] 2 wherein the column extends inwardly beyond the piercing point.

8. (original) The pouch of claim 2 wherein the column further comprises a second piercing point.

9. (previously presented) The pouch of claim 2 wherein the first panel further comprises a cutout, the cutout positioned on the exterior end of the column.

10. (original) The pouch of claim 9 wherein the cutout exposes an internal surface of the second panel.

11. (original) The pouch of claim 1 wherein the first panel is sealed to the second panel along a perimeter.

12. (previously presented) The pouch of claim 11 wherein the perimeter further comprises a gap in the seal along the perimeter, the gap forming the exterior end of the column.

13. (previously presented) The pouch of claim 1 further comprising a removable portion that covers the exterior end of the column.

14. (original) The pouch of claim 1 further comprising a third panel sealed between the first panel and the second panel, the third panel forming a gusseted bottom.

15. (currently amended) A method of making a flexible pouch for holding a beverage for removal via a drinking straw, the method comprising:

sealing a first flexible panel and a second flexible panel together to form a compartment; and

forming a column extending from the exterior of the pouch into the compartment, the column including

a first seam and a second seam, wherein each seam is formed by the first and second panels being placed in contact with each other at the location of the seam and sealed together, [[~~and~~]] wherein a portion of the first seam is substantially parallel to a portion of the second seam, and wherein the first and second seams each have an interior end portion, said interior end portions gradually diverging from each other,

an opening formed by the exterior end of the first and second seams, and

a frangible piercing point located between the first and second seams inwardly along the column from the opening.

16. (currently amended) The method of claim 15 wherein the frangible piercing point is piercable by a straw.

17. (previously presented) The method of claim 15 wherein the first seam and second seam extend beyond the frangible piercing point such that the straw is guided into the interior of the compartment after it pierces the piercing point.

18. (previously presented) The method of claim 15 wherein one of the first panel and second panel further comprise a cutout operably positioned at an exterior end of the column.

19. (previously presented) The method of claim 15 further comprising forming a removable section that covers an exterior end of the column wherein when the removable section is removed, the exterior end of the column is operably exposed for inserting the straw therethrough.

20. (original) The method of claim 14 further comprising forming a second piercing point in the column.

21. (currently amended) A flexible pouch for storing a juice product comprising:

a compartment defined by a panel, the panel formed of a multi-layer laminate; and

a column extending from the exterior of the pouch into the compartment, the column further comprising

a first seam and a second seam with segments that are parallel,

an opening formed by the exterior termination of the first and second seams, and

a frangible piercing point disposed in the column between the first and second seams inwardly from the opening,

whereby the column is adapted to receive a drinking straw~~, the straw designed to pierce the piercing point~~ and the piercing point is adapted to be pierceable by the drinking straw for removal of the juice from the compartment.

22. (currently amended) A flexible stand-up pouch for holding a beverage for removal via a drinking straw, the pouch comprising:

a compartment formed by sealing a first surface to a second surface by placing said surfaces together at a seam location and sealing the surfaces together at the seam location, wherein said surfaces are generally opposing, and wherein said surfaces are sealed to a third surface used to form a gusseted bottom; and

a column formed between the first surface and the second surface, the column being open at an external end, sealed at an internal end, and designed to operably receive a piercing straw, wherein the seal of the internal end is formed by the same method as the seal used to seal the first surface to the second surface.

23. (previously presented) The method of claim 22, wherein the first and second surfaces are part of a single panel that is folded prior to the first surface being sealed to the second surface.

24. (previously presented) The method of claim 22, wherein the first surface is part of a first panel and the second surface is part of a second panel, wherein the first and second panels are distinct and separate from each other prior to the first surface being sealed to the second surface.

25. (previously presented) The pouch of claim 22, wherein the column includes a first seam and a second seam that are formed by the sealing together of the first and second surfaces.

26. (previously presented) The pouch of claim 25, wherein a portion of the first seam and a portion of the second seam are substantially parallel to each other.

27. (previously presented) The pouch of claim 22, wherein the seal of the internal end is at least two seals formed by the same method as the seal used to seal the first and second surfaces.

28. (previously presented) The pouch of claim 22, wherein a portion of the column is tapered so as to be wider at the external end.

29. (previously presented) The pouch of claim 22, wherein a portion of the column is tapered so as to be wider at the internal end.

30. (previously presented) The pouch of claim 22, wherein the column extends inwardly beyond the seal of the internal end.

31. (previously presented) The pouch of claim 22, wherein the first surface further comprises a cutout, the cutout being positioned at the external end of the column.

32. (previously presented) The pouch of claim 31, wherein the cutout exposes the second surface.

33. (previously presented) The pouch of claim 22, further comprising a removable portion that covers the external end of the column.

34. (currently amended) A method of making a flexible stand-up pouch for holding a beverage for removal via a drinking straw, the method comprising:

presenting a first flexible surface to a second flexible surface, wherein said surfaces are generally opposing; [[~~and~~]]

forming a compartment and a column by placing said surfaces together at a seam location and sealing the surfaces together at the seam location ~~by sealing the first flexible surface to the second flexible surface~~, the column being open at an external end, sealed at an internal end, and designed to operably receive a piercing straw, wherein the seal of the internal end is formed by the same sealing process used to seal the first flexible surface to the second flexible surface; and

sealing a third surface to the first and second surfaces to form a gusseted bottom.

35. (previously presented) The method of claim 34, wherein the first and second flexible surfaces are part of a single flexible panel, and the first and second flexible surfaces are presented to each other by folding the flexible panel.

36. (previously presented) The method of claim 34, wherein the first flexible surface is part of a first flexible panel, the second flexible surface is part of a second flexible panel, and the first and second flexible surfaces are presented to each other by bring the first and second flexible panels together.

37. (previously presented) The method of claim 34, wherein the column includes a first seam and a second seam that are formed by the sealing together of the first and second flexible surfaces.

38. (previously presented) The method of claim 37, wherein a portion of the first seam and a portion of the second seam are substantially parallel to each other.

39. (previously presented) The method of claim 34, wherein the seal of the internal end is at least two seals formed by the same sealing process used to seal the first and second flexible surfaces.

40. (previously presented) The method of claim 34, wherein a portion of the column is tapered so as to be wider at the external end.

41. (previously presented) The method of claim 34, wherein a portion of the column is tapered so as to be wider at the internal end.

42. (previously presented) The method of claim 34, wherein the column extends inwardly beyond the seal of the internal end.

43. (previously presented) The method of claim 34, further comprising providing a cutout in the first flexible surface, the cutout being positioned at the external end of the column.

44. (previously presented) The method of claim 43, wherein the cutout exposes the second flexible surface.

45. (previously presented) The method of claim 34, further comprising providing a removable portion that covers the external end of the column.

46. (previously presented) The flexible stand-up pouch made by the process defined in claim 34.